

**U.S. District Court  
District of Connecticut (New Haven)  
CIVIL DOCKET FOR CASE #: 3:12-cv-00226-JBA**

Brizuela v. Feliciano et al  
Assigned to: Judge Janet Bond Arterton  
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 02/13/2012  
Date Terminated: 03/06/2013  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner**

**Sergio Brizuela**  
*on behalf of himself and all others  
similarly situated*

represented by **Anne Lai**  
Jerome N. Frank Legal Services  
Organization  
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**TERMINATED: 07/01/2013**  
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V.

**Respondent**

**Jose Feliciano**  
*Warden, New Haven Correctional Center*

represented by **Robert S. Dearington**  
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**Respondent**

**Leo C. Arnone**  
*Commissioner, Connecticut Department  
of Correction*

represented by **Robert S. Dearington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Strom**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Terrence M. O'Neill**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Respondent**

**Department of Correction**  
*Connecticut*

represented by **Robert S. Dearington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Strom**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Terrence M. O'Neill**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 02/13/2012 | <u>1</u> | PETITION for Writ of Habeas Corpus ( Filing fee \$ 5 receipt number 0205-2400601.), filed by Sergio Brizuela.(Wishnie, Michael) (Entered: 02/13/2012) |
| 02/13/2012 | <u>2</u> | MOTION to Certify Class or Representative Habeas Action by Sergio Brizuela.Responses due by 3/5/2012 (Wishnie, Michael) (Entered: 02/13/2012)         |
| 02/13/2012 |          | Judge Janet Bond Arterton added. (Malone, P.) (Entered: 02/13/2012)   |

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| 02/13/2012 | <u>3</u>  | ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Janet Bond Arterton on 2/13/2012. (Falcone, K.) (Entered: 02/13/2012)  |
| 02/13/2012 | <u>4</u>  | STANDING PROTECTIVE ORDER. Signed by Judge Janet Bond Arterton on 2/13/2012. (Falcone, K.) (Entered: 02/13/2012)   |
| 02/13/2012 | <u>5</u>  | NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of <u>1</u> Petition for Writ of Habeas Corpus filed by Sergio Brizuela, <u>2</u> MOTION to Certify Class or Representative Habeas Action filed by Sergio Brizuela, <u>3</u> Electronic Filing Order, <u>4</u> Protective Order. Signed by Clerk on 2/13/2012. (Falcone, K.) (Entered: 02/13/2012)   |
| 02/14/2012 |           | Request for Clerk to issue summons as to Leo C. Arnone, Department of Correction, Jose Feliciano. (Wishnie, Michael) (Entered: 02/14/2012)   |
| 02/15/2012 | <u>6</u>  | ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Leo C. Arnone, Department of Correction, Jose Feliciano* with answer to complaint due within *21* days. Attorney *Jermone N. Frank Legal Services* *Yale Law School* *127 Wall Street* *New Haven, CT 06511*. (Falcone, K.) (Entered: 02/15/2012)   |
| 02/22/2012 | <u>7</u>  | MOTION for Order to Show Cause and Leave to Propound Precertification Discovery Requests by Sergio Brizuela. (Wishnie, Michael). Added MOTION for Leave to Propound Precertification Discovery Requests on 2/23/2012 (Falcone, K.). (Entered: 02/22/2012)  |
| 02/22/2012 | <u>8</u>  | Memorandum in Support re <u>7</u> MOTION for Order to Show Cause and Leave to Propound Precertification Discovery Requests filed by Sergio Brizuela. (Attachments: # <u>1</u> Affidavit Silva Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H)(Wishnie, Michael) (Entered: 02/22/2012)   |
| 02/23/2012 | <u>9</u>  | AFFIDAVIT of Service for summons, petition for habeas corpus, motion for class certification or representative habeas action, and other initiating materials served on Conn. Attorney General's Office on 2/17/12 and 2/22/12, filed by Sergio Brizuela., SUMMONS Returned Executed by Sergio Brizuela. Leo C. Arnone served on 2/22/2012, answer due 3/14/2012; Department of Correction served on 2/22/2012, answer due 3/14/2012; Jose Feliciano served on 2/22/2012, answer due 3/14/2012. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wishnie, Michael) (Entered: 02/23/2012) |
| 02/24/2012 | <u>10</u> | NOTICE of Appearance by Terrence M. O'Neill on behalf of Leo C. Arnone, Department of Correction, Jose Feliciano (O'Neill, Terrence) (Entered: 02/24/2012)   |
| 02/24/2012 | <u>11</u> | NOTICE of Appearance by Muneer I. Ahmad on behalf of Sergio Brizuela (Ahmad, Muneer) (Entered: 02/24/2012)   |
| 02/24/2012 | <u>12</u> | NOTICE of Appearance by Steven R. Strom on behalf of Leo C. Arnone, Department of Correction, Jose Feliciano (Strom, Steven) (Entered: 02/24/2012)   |
| 02/25/2012 | <u>13</u> | MOTION for Leave to Appear as a Law Student Intern <i>Travis Silva, Matthew Vogel, Jessica Vosburgh, and Cody Wofsy</i> by Sergio Brizuela. (Attachments: # <u>1</u> Exhibit Supervising Attorney Certification, # <u>2</u> Exhibit Student Certification, # <u>3</u> Exhibit Petitioner Declaration)(Wishnie, Michael) (Entered: 02/25/2012)  |
| 03/20/2012 | <u>14</u> | NOTICE of Appearance by Robert S. Dearington on behalf of Leo C. Arnone, Department of Correction, Jose Feliciano (Dearington, Robert) (Entered: 03/20/2012)   |
| 03/21/2012 | <u>15</u> | MOTION certify the constitutional challenge to the Attorney General of the U.S. pursuant to 28 U.S.C. Sec. 2403 and Fed Rule of Civil Procedure 5.1 by Leo C. Arnone, Department of Correction, Jose Feliciano.Responses due by 4/11/2012 (Attachments: # <u>1</u> Memorandum in Support)(Dearington, Robert) (Entered: 03/21/2012)  |
| 03/26/2012 | <u>16</u> | ORDER granting <u>13</u> Motion to Appear. Signed by Judge Janet Bond Arterton on 3/26/12. (Tooker, A.) (Entered: 03/26/2012)  |
| 03/27/2012 | <u>17</u> | NOTICE of Appearance by Anne Lai on behalf of Sergio Brizuela (Lai, Anne) (Entered: 03/27/2012)  |

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| 03/27/2012 | <u>18</u> | NOTICE by Sergio Brizuela re <u>15</u> MOTION certify the constitutional challenge to the Attorney General of the U.S. pursuant to 28 U.S.C. Sec. 2403 and Fed Rule of Civil Procedure 5.1 <i>OF CONSTITUTIONAL CHALLENGE TO A FEDERAL REGULATION AND NON-OPPOSITION TO RESPONDENTS MOTION TO CERTIFY CONSTITUTIONAL CHALLENGE</i> (Wishnie, Michael) (Entered: 03/27/2012) |
| 05/07/2012 | <u>19</u> | Joint STATUS REPORT <i>And Request For Status Conference</i> by Leo C. Arnone, Department of Correction, Jose Feliciano, Sergio Brizuela (Dearington, Robert) Modified on 5/9/2012 to another filer (Malone, P.). (Entered: 05/07/2012)   |
| 05/09/2012 |           | Status Conference set for 7/10/2012 at 04:00 PM in Courtroom Two, 141 Church Street, New Haven, CT before Judge Janet Bond Arterton (Tooker, A.) (Entered: 05/09/2012)  |
| 05/09/2012 | 20        | NOTICE: As requested <u>19</u> all deadlines are stayed until the status conference set down for 7/10/12. Signed by Judge Janet Bond Arterton on 5/8/12. (Tooker, A.) (Entered: 05/09/2012)   |
| 07/03/2012 |           | The parties status conference has been rescheduled to 8/6/12 at 4:00 p.m., Courtroom Two. Status report shall be filed by 7/30/12. (Tooker, A.) (Entered: 07/03/2012)   |
| 07/30/2012 | <u>21</u> | JOINT Second STATUS REPORT <i>and Request for Continuance of Status Conference</i> by Sergio Brizuela. (Wishnie, Michael) Modified on 7/31/2012 to add filers(Falcone, K.). (Entered: 07/30/2012)   |
| 08/06/2012 | <u>22</u> | Minute Entry for proceedings held before Judge Janet Bond Arterton: Status Conference held on 8/6/2012. 20 minutes(Court Reporter S. MONTINI.) (Torday, B.) (Entered: 08/07/2012)   |
| 08/07/2012 | <u>23</u> | ORDER OF ADMINISTRATIVE DISMISSAL. Signed by Judge Janet Bond Arterton on 8/6/12. (Pesta, J.) (Entered: 08/07/2012)   |
| 02/19/2013 | <u>24</u> | Joint MOTION to Reopen Case by Sergio Brizuela, Jose Feliciano, Department of Correction, Leo Arnone. Responses due by 3/12/2013 (Wishnie, Michael) Modified on 2/21/2013 to add all filers. (Malone, P.). (Entered: 02/19/2013)  |
| 02/19/2013 | <u>25</u> | SETTLEMENT AGREEMENT <i>Proposed Settlement Agreement and Stipulation of Dismissal upon Termination of Agreement</i> by Sergio Brizuela, Jose Feliciano, Department of Correction, Leo Arnone. (Wishnie, Michael) Modified on 2/21/2013 to add all filers.(Malone, P.). (Entered: 02/19/2013)   |
| 03/04/2013 | 26        | ORDER granting <u>24</u> Motion to Reopen Case, pursuant to the parties' Stipulation of Dismissal. Signed by Judge Janet Bond Arterton on 3/4/13. (Tooker, A.) (Entered: 03/04/2013)  |
| 03/05/2013 | <u>27</u> | ORDER re <u>25</u> Settlement Agreement, filed by Jose Feliciano, Leo C. Arnone, Department of Correction Signed by Judge Janet Bond Arterton on 3/1/13. (Attachments: # <u>1</u> Settlement Agreement)(Torday, B.) (Entered: 03/06/2013)   |
| 06/30/2013 | <u>28</u> | MOTION for Anne Lai to Withdraw as Attorney by Sergio Brizuela. (Lai, Anne) (Entered: 06/30/2013)   |
| 07/01/2013 | 29        | ORDER granting <u>28</u> Motion to Withdraw as Attorney. Attorney Anne Lai terminated. Signed by Judge Janet Bond Arterton on 7/1/13. (Tooker, A.) (Entered: 07/01/2013)  |
| 02/02/2017 | <u>30</u> | Joint STIPULATION re <u>27</u> Order to <i>Modify Settlement Agreement</i> by Sergio Brizuela. (Attachments: # <u>1</u> Text of Proposed Order)(Wishnie, Michael) (Entered: 02/02/2017)   |
| 02/02/2017 | <u>31</u> | ORDER: as set forth in the attached order, the Settlement Agreement is modified to set the termination date for the Agreement to February 2, 2018. Signed by Judge Janet Bond Arterton on 02/02/2017.(Farrelly, S.) (Entered: 02/02/2017)   |
| 01/19/2018 | <u>32</u> | Joint MOTION for Settlement <i>Order Approving Stipulation to Modify Settlement Agreement</i> by Leo C. Arnone, Department of Correction, Jose Feliciano. (Attachments: # <u>1</u> Stipulation to Modify Settlement Agreement, # <u>2</u> Text of Proposed Order Proposed Order Re: Settlement Agreement)(Strom, Steven) (Entered: 01/19/2018)                              |

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| 01/26/2018 | <u>33</u> | ORDER granting <u>32</u> Motion for Settlement. Signed by Judge Janet Bond Arterton on 1/26/18. (Tooker, A.) (Entered: 01/26/2018) |
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